

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ROBIN REKOLA,

Plaintiff,

V.

NANCY A. BERRYHILL,
Acting Commissioner of Social Security,¹

Defendant.

No. 2:16-cv-1638-RAJ

~~Proposed~~ Order of Remand

Based on the stipulation of the parties, the Court hereby orders that the Commissioner's final decision should be reversed and remanded for further administrative proceedings and a new decision under the fourth sentence of 42 U.S.C. § 405(g).

Upon remand, the administrative law judge (ALJ) will request Plaintiff's 2008 treatment records from the Department of Veteran's Affairs; re-assess the severity of Plaintiff's impairments, considering all the medical opinions of record; and continue with the sequential evaluation, if necessary.

¹ Nancy A. Berryhill is now the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as the defendant in this suit. No further action needs to be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

Upon proper application, Plaintiff may seek an award of reasonable attorney's fees under the Equal Access to Justice Act, 24 U.S.C. § 2412, et seq.

It is so ordered on this 21st day of March, 2017.

Richard D. Jones

The Honorable Richard A. Jones
United States District Judge

[PROPOSED]
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